

REMARKS

Favorable consideration and allowance are respectfully requested for claims 1-38.

Information Disclosure Statement

The Examiner is thanked for his careful review of this application and the indication that the IDS submitted September 27, 2006 was considered is acknowledged with appreciation. Applicants note that the article listed under "Other Documents" was not initialed as being considered and Applicants request that the 1449 be updated to reflect the initials of the Examiner.

Claim Objections

The objection to the claims for misspelling certain words is addressed by amendments to put the claim language in American English. In particular, the following root words are provided with their American spellings, in their various forms that appear in the claims: "organize", "initialize", "characterize" and "synchronize."

The dependent claims are amended to correct the antecedent basis issue identified in the Office Action.

Claim 24 is amended to correct the dependency thereof.

Claim 2 and 17 are amended to correct the nomenclature used to represent the time values. Support for this change appears in the application, for instance, at least in paragraphs [0094-0096] of the application as it published (U.S. Patent Publication No. 2009/0300363).

Claim Rejections

The rejection of claims 1-13 and 34-37 under 35 U.S.C. § 101 is respectfully traversed. Although the rejection is not agreed with, in the interest of compact prosecution, independent claims 1 and 34 are amended to recite that the method or system is computer implemented and that certain steps are performed with a processor. Reconsideration and withdrawal of this rejection are therefore respectfully requested.

The rejection of claims 1-38 under 35 U.S.C. § 103 as obvious over Hamalainen (U.S. Patent Publication No. 2004/0015442) in view of Hammerstad (U.S. Patent Publication No. 2002/0111855) is respectfully traversed.

The cited Hamalainen publication is not prior art to the present application. The present

application was filed as a National Stage application from parent PCT Application No. PCT/FI04/00803 under 35 U.S.C. § 371. Thus, the effective filing date of the present application is the same as the PCT application filing date, which is December 28, 2004, see MPEP § 1893.03(b) stating that:

1893.03(b) The Filing Date of a U.S. National Stage Application

An international application designating the U.S. has two stages (international and national) with the filing date being the same in both stages. Often the date of entry into the national stage is confused with the filing date. It should be borne in mind that the filing date of the international stage application is also the filing date for the national stage application. Specifically, **35 U.S.C. 363** provides that

An international application designating the United States shall have the effect, from its international filing date under Article 11 of the treaty, of a national application for patent regularly filed in the Patent and Trademark Office except as otherwise provided in section **102(e)** of this title.

Similarly, **PCT Article 11(3)** provides that

...an international filing date shall have the effect of a regular national application in each designated State as of the international filing date, which date shall be considered to be the actual filing date in each designated State.

The cited Hamalainen publication was published on January 22, 2004, which is less than one year prior to the December 28, 2004 filing date of the present application. Accordingly, the Hamalainen publication is not prior art under 35 U.S.C. § 102(b). The certified copy of the Finnish parent application filed December 29, 2003 predates the publication of the Hamalainen publication so that the reference is not prior art under 35 U.S.C. § 102(a). Further, the Hamalainen publication is disqualified as prior art under 35 U.S.C. § 102(e) because, in accordance with 35 U.S.C. § 103(c), the subject matter in the Hamalainen publication and the presently claimed invention “were, at the time the invention was made, subject to an obligation of assignment to the same person”, namely the Finnish company Oy Veikkaus AB.

Accordingly, the primary reference is not prior art and, for this reason, the obviousness rejection cannot be properly maintained. Reconsideration and withdrawal of this rejection are respectfully requested.

Moreover, the invention of the independent claims is different from the Hamalainen

publication.

Exemplary claim 1, in relevant part, recites:

synchronizing local time of the distributed domain, with time equated with the central domain time information received by the beacon tick packets, by help of values of a counter in the distributed domain and time information in received beacon tick packets.

The Office Action cites paragraph [0092] of the Hamalainen publication as relevant to these features of the claim. While paragraph [0092] does include the word “synchronize”, the synchronization is not between a local time of the distributed domain and the central domain time information received in the beacon tick packets. Instead, paragraph [0092] addresses using a locally generated clock signal for both time stamping of bet records and for synchronizing network communications. Paragraph [0092] contemplates avoiding tampering with the clock signal because doing so would affect the terminal's ability to communicate with the network. This paragraph does not teach that a clock signal from a source, such as a beacon tick packet that is synchronized with the clock signal in a distributed domain. Instead, the paragraph teaches that if the clock signal in a distributed domain is tampered with, the operation of the distributed domain will be disrupted because the distributed domain will no longer be able to communicate over the network.

Exemplary claim 1, in relevant part, also recites the feature of:

verifying validity of local time of the distributed domain regarding to the central domain's local time by comparing local time of the distributed domain to time information relating to local time of the central domain received by the watchdog tick packets.

The Office Action indicates that the Hamalainen publication does not teach these features and instead relies on the Hammerstad publication. Hammerstad relates to delivering advertising, see, e.g., the title. In particular, the reference teaches a method to deliver time significant advertising. The Office Action cites element 519 of Figure 5 as relevant. In Figure 5, element 519 is entitled “Calculate Local Time.” In paragraph [0020] the Hammerstad publication teaches starting with then current Coordinated Universal Time (UTC) and offsetting this time to account for geographical (time zone) differences to determine the current local time for the potential advertising recipient. This calculated current local time is then compared against a window of

time significance for an advertisement. If the current local time falls within the window of time significance, the advertisement may then be retrieved and provided to the recipient. Thus, the Hammerstad publication teaches to calculate the local time based on the UTC and the time zone of the recipient and to then *compare* the calculated local time against the acceptable time for an advertisement. Thus, the Hammerstad publication relates to check a time window against the actual time at a recipient's location.

In contrast, claim 1 relates to a system where a distributed domain maintains a clock and a central domain maintains a clock and the times for the two clocks are compared. Specifically, the local time for the distributed domain is compared with the central domain's local time by comparing the local time of the distributed domain with time information received in the watchdog tick packets. The claim, thus, teaches comparing the time values of two clocks. The Hammerstad publication does not appear to teach or contemplate any such comparison. Accordingly, the Hammerstad publication does not make up for the failure of the Hamalainen publication to teach these claim features.

Even assuming one of skill in the art were to attempt to combine the advertising delivery timing features of the Hammerstad publication with the betting arrangements of the Hamalainen publication, they would still not arrive at the presently claimed invention.

The remaining independent claims all recite these features relating to synchronizing local time of the distributed domain and verifying validity of local time. For these additional reasons, the proposed combination of references does not teach each and every feature of the claims and the obviousness rejection cannot be properly maintained.

CONCLUSION

In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

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In the event that any further fees are due or refunds allowed, please apply any charges or credits to Deposit Account No. 50-3211 (Attorney Docket No. 21204.0215US).

Respectfully submitted,

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